

### REMARKS

Claims 40-43 are pending in the present application. As indicated above, Claim 40 has been amended.

In the Office Action, Claims 40-43 were rejected under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent No. 5,966,671 (*Mitchell*) in view of U.S. Patent No. 6,529,713 (*Seymour*), and further in view of U.S. Patent No. 5,915,228 (*Kunihiro*), and under 35 U.S.C. §112, second paragraph, as being indefinite.

With regard to the rejection of Claims 40-43 under 35 U.S.C. §112, second paragraph, the Examiner takes issue with the term “digits/characters” in Claim 40. As indicated above, Claim 40 has been amended to read “at least one of digits and characters”. Therefore, it is respectfully requested that the rejection to Claims 40-43, under 35 U.S.C. §112, second paragraph, be withdrawn.

With regard to the rejection of Claims 40-43 under 35 U.S.C. §103(a) as being unpatentable over *Mitchell* in view of *Seymour*, and further in view of *Kunihiro*, more specifically, independent Claim 40, the Examiner asserts that *Mitchell* teaches all the elements of Claim 40 except for a watch type portable phone, which is allegedly taught in *Seymour*, and where at least one signal is for inputting digits and characters, which is allegedly taught in *Kunihiro*. We believe the Examiner is incorrect.

The method according to the present invention is to select a menu item by manipulating a multi-function key with a protrusion adapted to slide in a first direction and a second direction and be pressed in a third direction substantially perpendicular to the first direction, to shift a cursor on a digit-character desired to be input by means of the multi-function key on an LCD on which pre-stored digits or characters are displayed when the selected menu item is a menu for inputting of digits or characters, and to input the desired digit or character. However, *Mitchell* as cited by the Examiner discloses a multifunction rocker switch for accessing direct menu items, confirming selection of a

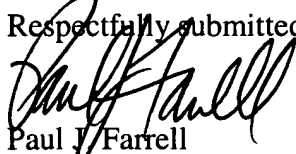
menu item, and toggling a menu item's status (on/off) using a smart button key, a FCN key, and standard telephone keys. Therefore, it is respectfully submitted that the present invention teaching a method for inputting digits or characters using the multi-function key is distinguishable from *Mitchell* disclosing the multifunction rocker switch for selecting a menu item and toggling a menu item's status (on/off).

Furthermore, the switch in *Mitchell* does not consider the input of digits or characters at all. Accordingly, it is obvious that in a method according to *Mitchell*, digits and characters are input through a conventional main keypad. Therefore, it is respectfully submitted that there would be no motivation to combine *Mitchell* and *Kunihiro*.

Therefore, it is respectfully submitted that the present invention as recited in Claim 40 cannot be derived from *Mitchell* even if taken in combination with *Seymour* and *Kunihiro*.

Without conceding patentability per se of dependent Claims 41-43, it is respectfully submitted that Claims 41-43 are believed to be allowable by virtue of their dependence on Claim 40.

Accordingly, all of the claims pending in the Application, namely, Claims 40-43, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,  
  
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